

**UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION**

In the Matter of

**ZEN MAGNETS, LLC
AND
STAR NETWORKS USA, LLC**

Respondents.

CPSC Docket No: 12-2

CPSC Docket No: 13-2

HON. DEAN C. METRY

**MEMORANDUM AND ORDER OF PRE-HEARING CONFERENCE AND
SCHEDULING ORDER**

On June 19, 2014, the undersigned convened a prehearing teleconference in the above captioned case as previously noticed in the Federal Register. The purpose of the teleconference was to set a date and location for hearing and to reestablish a discovery schedule. During the prehearing conference, the parties and the undersigned agreed on the following:

1. The hearing shall commence on Monday, December 1, 2014, at 10 a.m. Eastern Time, and shall proceed until finished. The hearing shall not convene on Fridays during that period. The hearing shall be at the Agency's hearing room located at 4330 East West Highway, Fourth Floor, Bethesda, Maryland 20814.

2. The parties jointly requested a three week extension of the discovery deadlines previously set in the undersigned's Modified Scheduling Order dated May 30, 2014. Due to the joint nature of the request and because the hearing will not take place until December, the undersigned granted the request. The schedule for discovery and motions is now modified as follows:

- All requests for the ALJ to take official notice of "laws administered by the Commission or upon the Commission's substantive standards, regulations, and consumer product safety rules" shall be served on or before **Friday, July 18, 2014.**

- All discovery shall be completed on **Friday, August 8, 2014.**
- The disclosure of witnesses and documents and other physical exhibits intended to be introduced into evidence shall be served no later than **Friday, August 22, 2014.**
- Any motions related to the limit of witnesses, particularly to avoid duplicative witnesses, shall be served no later than **Friday, September 5, 2014.**
- All motions, including motions for summary decision, shall be served on or before **Friday, September 5, 2014.**
- All pre-hearing briefs shall be served on or before **Friday, September 12, 2014.**
- All offers of settlement will be considered until **Friday, September 19, 2014.**
- All requests for the Presiding Officer to issue subpoenas to compel the appearance of witnesses shall be served no later than **Friday, September 26, 2014.**

3. This Memorandum and Order shall supersede any previous orders with regards to outstanding applications for leave to take depositions. The parties agreed to suspend the requirement to bring an application for leave to take depositions to the undersigned ALJ unless there is a dispute as to particular deponents. The parties shall therefore stipulate to a list of persons to be deposed and execute the depositions within the above detailed discovery schedule. Respondent shall file the list of the agreed upon deponents on or before **Friday, June 27, 2014.** To the extent the parties cannot come to an agreement, Respondent must move for an application for leave to take depositions by this same date. The Agency shall file its response to Respondent's motion on or before **Monday, July 7, 2014.**

4. The Agency's previously noticed depositions are rescheduled without objection from Respondent to the week of **July 7, 2014.**

5. The parties further agreed to come to an arrangement regarding witnesses and discovery from CPSC Docket Number 12-1. To the extent the parties are unable to come to an agreement, they shall address the issues in their respective deposition motions.

SO ORDERED.

Done and dated this 20th day of June, 2014, at
Galveston, TX


DEAN C. METRY
Administrative Law Judge